

MAY 02 2012

John A. Clarke, Executive Officer/Clerk

By ~~E.T. Espinoza~~, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES  
CENTRAL DISTRICT

OMAR RODRIGUEZ; CINDY GUILLEN-  
GOMEZ; STEVE KARAGIOSIAN; ELFEGO  
RODRIGUEZ; AND JAMAL CHILDS,

Plaintiffs,

v.

BURBANK POLICE DEPARTMENT; CITY  
OF BURBANK; AND DOES 1 THROUGH  
100, INCLUSIVE,

Defendants.

CASE NO. BC 414602

*Assigned To The Honorable Joanne  
O'Donnell; LASC Department 37*

**[DEFENDANT'S PROPOSED]  
JUDGMENT AFTER JURY TRIAL**

File Date: May 28, 2009

Trial Date: Mar. 19, 2012 (Pltf Karagiosian)

BURBANK POLICE DEPARTMENT; CITY  
OF BURBANK,,

Complainants,

v.

OMAR RODRIGUEZ, an Individual, ,

Defendant.

1 This action came on regularly for trial on March 19, 2012, in Department 37 of the above-  
2 entitled Court, the Honorable Joanne O'Donnell presiding, as to the claims brought by Plaintiff  
3 Steve Karagiosian against Defendant City of Burbank. Plaintiff Steve Karagiosian appeared by  
4 attorney Solomon Gresen of Law Offices Of Rheuban & Gresen. Defendant City of Burbank  
5 appeared by attorneys Linda Miller Savitt of Ballard Rosenberg Golper & Savitt, and Lawrence A.  
6 Michaels of Mitchell Silberberg & Knupp.

7 A jury of twelve (12) persons was regularly impaneled and sworn and agreed to try the  
8 cause. Witnesses were sworn and testified. After hearing the evidence and arguments of counsel,  
9 the jury was instructed by the Court and the cause was submitted to the jury with directions to  
10 return a special verdict. The jury deliberated and thereafter returned to court with its special  
11 verdict on April 5, 2012, which verdict was in words and figures as follows:

12 We, the jury in the above-entitled action, find the following special verdict on the issues  
13 submitted to us as to the claims brought by Plaintiff STEVE KARAGIOSIAN against Defendant  
14 CITY OF BURBANK:

- 15  
16 1. Was Mr. Karagiosian subjected to unwanted harassing conduct because he is  
17 Armenian on or after May 27,2008?

18 ☒ Yes ☐ No

19 If your answer to question 1 is yes, then answer question 2. If you answered no,  
20 stop here, answer no further questions, and have the presiding juror sign and date  
21 this form.

- 22 2. Was Mr. Karagiosian also subjected to unwanted harassing conduct because he is  
23 Armenian before May 27,2008, which conduct was all of the following: (a) similar  
24 in kind to the conduct occurring on or after May 27,2008; (b) occurred with  
25 reasonable frequency; and (c) had not become permanent?

26 ☒ Yes ☐ No

27 Answer question 3.

- 28 3. Was any of the harassing conduct which you found to exist in response to questions  
1 or 2 committed by a supervisor?

☐ Yes ☒ No

1  
2 Answer question 4.

- 3 4. Was any of the harassing conduct which you found to exist in response to questions  
4 1 or 2 committed by a non-supervisor, and: (a) Burbank, its supervisors, or its  
5 agents knew or should have known of such conduct; and (b) Burbank, its  
6 supervisors, or its agents failed to take immediate and appropriate corrective  
7 action?

8 ☒ Yes ☐ No

9 If your answers to questions 3 or 4 is yes, then answer question 5. If your answers  
10 to both questions 3 and 4 are no, stop here, answer no further questions, and have  
11 the presiding juror sign and date this form.

- 12 5. Was the harassing conduct which you found to exist in response to questions 3 and  
13 4 severe or pervasive?

14 ☒ Yes ☐ No

15 If your answer to question 5 is yes, then answer question 6. If you answer no, stop  
16 here, answer no further questions, and have the presiding juror sign and date this  
17 form.

- 18 6. Would a reasonable person in Mr. Karagiosian's circumstances have considered the  
19 work environment to be hostile or abusive?

20 ☒ Yes ☐ No

21 If your answer to question 6 is yes, then answer question 7. If you answered no,  
22 stop here, answer no further questions, and have the presiding juror sign and date  
23 this form.

- 24 7. Did Mr. Karagiosian consider the work environment to be hostile or abusive?

25 ☒ Yes ☐ No

26 If your answer to question 7 is yes, then answer question 8. If you answered no,  
27 stop here, answer no further questions, and have the presiding juror sign and date  
28 this form.

8. Was the harassing conduct a substantial factor in causing harm to Mr. Karagiosian?

☒ Yes ☐ No

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1 1. Did the conduct on which you based your findings occur within a year of the date  
2 on which Mr. Karagiosian filed his DFEH charge (i.e., on or after May 27, 2008)?

3 ☒ Yes ☐ No

4 Answer Question 2.

5 2. Was the conduct on which you based your findings on or after May 27, 2008,  
6 reasonably frequent?

7 ☐ Yes ☒ No

8 Answer Question 3.

9  
10 3. Was the conduct on which you based your findings on or after May 27, 2008,  
11 severe or pervasive?

12 ☐ Yes ☒ No

13 Please sign and date this form.

14 Signed: \_\_\_\_\_/s/\_\_\_\_\_ Dated: April 5, 2012

15 Presiding Juror

16  
17 Prior to the trial, on December 2, 2010, at 9:00 a.m., Defendant City of Burbank's Motion  
18 for Summary Adjudication of Issues Against Plaintiff Steve Karagiosian, came on regularly for  
19 hearing in Department 37 of the above-entitled Court, the Honorable Joanne O'Donnell presiding.  
20 Solomon Gresen of Law Offices of Rheuban & Gresen appeared for Plaintiff Steve Karagiosian.  
21 Christine T. Hoeffner of Ballard Rosenberg Golper & Savitt appeared for Defendant City of  
22 Burbank.

23 After considering the papers filed in support of and against the Motion and hearing  
24 argument of counsel, the Court granted summary adjudication on the following causes of action:

25 (1) In favor of Burbank and against Karagiosian on the first cause of action in  
26 Karagiosian's First Amended Complaint for discrimination under the Fair Employment and  
27 Housing Act.

1 (2) In favor of Burbank and against Karagiosian on the third cause of action in  
2 Karagiosian's First Amended Complaint for retaliation under the Fair Employment and Housing  
3 Act.

4 (3) In favor of Burbank and against Karagiosian on the sixth cause of action in  
5 Karagiosian's First Amended Complaint for violations of the Police Officers Bill of Rights Act.

6  
7 It appearing by reason of said special verdict and summary adjudication that Plaintiff Steve  
8 Karagiosian is entitled to judgment against Defendant City of Burbank as to the second cause of  
9 action in Plaintiff Steve Karagiosian's First Amended Complaint for harassment under the Fair  
10 Employment and Housing Act.

11  
12 **NOW THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED** that said  
13 Plaintiff Steve Karagiosian shall recover damages in the sum of \$150,000.00 from Defendant City  
14 of Burbank, as well as attorneys fees in the amount of \$ \_\_\_\_\_ and costs in the amount of  
15 \$ \_\_\_\_\_.

16  
17 Date: MAY 02 2012

Joanne O'Donnell

The Honorable Joanne O'Donnell

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20 DATED: April 23, 2012

Respectfully submitted,

MITCHELL SILBERBERG & KNUPP LLP  
LAWRENCE A. MICHAELS  
VERONICA T. VON GRABOW

21  
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23  
24 By: V. Von Grabow  
25 Lawrence A. Michaels  
26 Veronica T. von Grabow  
27 Attorneys for Burbank Police Department, City  
28 of Burbank

**PROOF OF SERVICE**

**42729-00001**

*Rodriguez, et al. vs. Burbank Police Department, et al. — LASC Case No. BC414602*

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the county of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is Mitchell Silberberg & Knupp LLP, 11377 West Olympic Boulevard, Los Angeles, California 90064-1683.

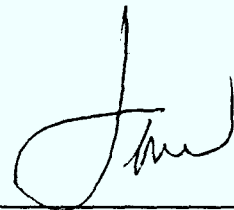
On April 23, 2012, I served a copy of the foregoing document(s) described as:  
**[DEFENDANT'S PROPOSED] JUDGMENT AFTER JURY TRIAL** on the interested parties in this action at their last known address as set forth below by taking the action described below:

Solomon E. Gresen, Esq., [seg@rglawyers.com](mailto:seg@rglawyers.com)  
Steven V. Rheuban, Esq., [svr@rglawyers.com](mailto:svr@rglawyers.com)  
Law Offices of Rheuban & Gresen  
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T: (818) 815-2727  
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*Attorneys for Plaintiffs Omar Rodriguez, Cindy Guillen-Gomez, Steve Karagiosian, Elfego Rodriguez, and Jamal Childs*

☒ **BY PERSONAL DELIVERY:** I placed the above-mentioned document(s) in sealed envelope(s), and caused personal delivery by **FIRST LEGAL SUPPORT SERVICES** of the document(s) listed above to the person(s) at the address(es) set forth above.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on April 23, 2012, at Los Angeles, California.



Isabel G. Moreno

**PROOF OF SERVICE**

**42729-00001**

*Rodriguez, et al. vs. Burbank Police Department, et al. — LASC Case No. BC414602*

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the county of Los Angeles, State of California.

I am over the age of 18, and not a party to the within action; my business address is **FIRST LEGAL SUPPORT SERVICES**, 1511 West Beverly Boulevard, Los Angeles, CA 90026.

On April 23, 2012, I served a copy of the foregoing document(s) described as:  
**[DEFENDANT'S PROPOSED] JUDGMENT AFTER JURY TRIAL** which was enclosed in sealed envelopes addressed as follows, and taking the action described below:

Solomon E. Gresen, Esq., [seg@rglawyers.com](mailto:seg@rglawyers.com)  
Steven V. Rheuban, Esq., [svr@rglawyers.com](mailto:svr@rglawyers.com)  
Law Offices of Rheuban & Gresen  
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*Attorneys for Plaintiffs Omar Rodriguez, Cindy Guillen-Gomez, Steve Karagiosian, Elfego Rodriguez, and Jamal Childs*

☒ **BY PERSONAL SERVICE:** I hand delivered such envelope(s):

☐ to the addressee(s);

☐ to the receptionist/clerk/secretary in the office(s) of the addressee(s).

☐ by leaving the envelope in a conspicuous place at the office of the addressee(s) between the hours of 9:00 a.m. and 5:00 p.m.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on April 23, 2012, at Los Angeles, California.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature